

**ASSEMBLY BILL**

**No. 2252**

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**Introduced by Assembly Member Ting**

February 18, 2016

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An act to amend Section 15104 of the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

AB 2252, as introduced, Ting. Elections: vote by mail ballots.

Existing law requires the processing of vote by mail ballot return envelopes, and the processing and counting of vote by mail ballots, to be open to the public, both before and after the election. Existing law authorizes certain parties to observe and challenge the manner in which the vote by mail ballots are handled, as specified, and requires the vote by mail voter observers to be allowed sufficiently close access to enable them to (1) observe the vote by mail ballot return envelopes and the signatures on the envelopes, and (2) challenge whether the individuals handling vote by mail ballots are following established procedures, including, among other things, verifying signatures and addresses on the vote by mail ballot return envelopes by comparing them to voter registration information.

This bill would delete the verification of addresses on the vote by mail ballot return envelopes from the established procedures that are subject to observer challenge.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 15104 of the Elections Code is amended to read:

15104. (a) The processing of vote by mail ballot return envelopes, and the processing and counting of vote by mail ballots, shall be open to the public, both ~~prior to~~ *before* and after the election.

(b) A member of the county grand jury, and at least one member each of the Republican county central committee, the Democratic county central committee, and of any other party with a candidate on the ballot, and any other interested organization, shall be permitted to observe and challenge the manner in which the vote by mail ballots are handled, from the processing of vote by mail ballot return envelopes through the counting and disposition of the ballots.

(c) The elections official shall notify vote by mail voter observers and the public at least 48 hours in advance of the dates, times, and places where vote by mail ballots will be processed and counted.

(d) Notwithstanding paragraph (2) of subdivision (b) of Section 2194, vote by mail voter observers shall be allowed sufficiently close access to enable them to observe the vote by mail ballot return envelopes and the signatures ~~thereon~~ *on the envelopes* and challenge whether those individuals handling vote by mail ballots are following established procedures, including all of the following:

(1) Verifying signatures ~~and addresses~~ on the vote by mail ballot return envelopes by comparing them to voter registration information.

(2) Duplicating accurately damaged or defective ballots.

(3) Securing vote by mail ballots to prevent tampering with them before they are counted on election day.

(e) A vote by mail voter observer shall not interfere with the orderly processing of vote by mail ballot return envelopes or the processing and counting of vote by mail ballots, including the touching or handling of the ballots.